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ABSTRACT

Good development officers in elementary and high schools need to be aware of planned giving and knowledgeable about a variety of gift categories. Most school-development directors are not experts in this complex field. Yet, when a school decides to initiate a planned-giving program, the director of development must make a serious commitment to dedicating a significant amount of time and energy to get the new program up and running. This booklet describes the entire process for establishing a successful planned-giving program using a step-by-step approach. It first defines planned giving, looks at why donors like it, and describes planned-giving donors. It then examines the various types of planned gifts, including bequests, charitable gift annuities, pooled-income funds, trusts, and life insurance. Real estate, personal property, and retirement plans are also discussed. Results are rarely immediate, but planned gifts are well worth the wait. Over time, they will have a very significant and positive impact on the future of the school. (RT)

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Planned Giving for Catholic Schools

Mary Ann Bourbeau

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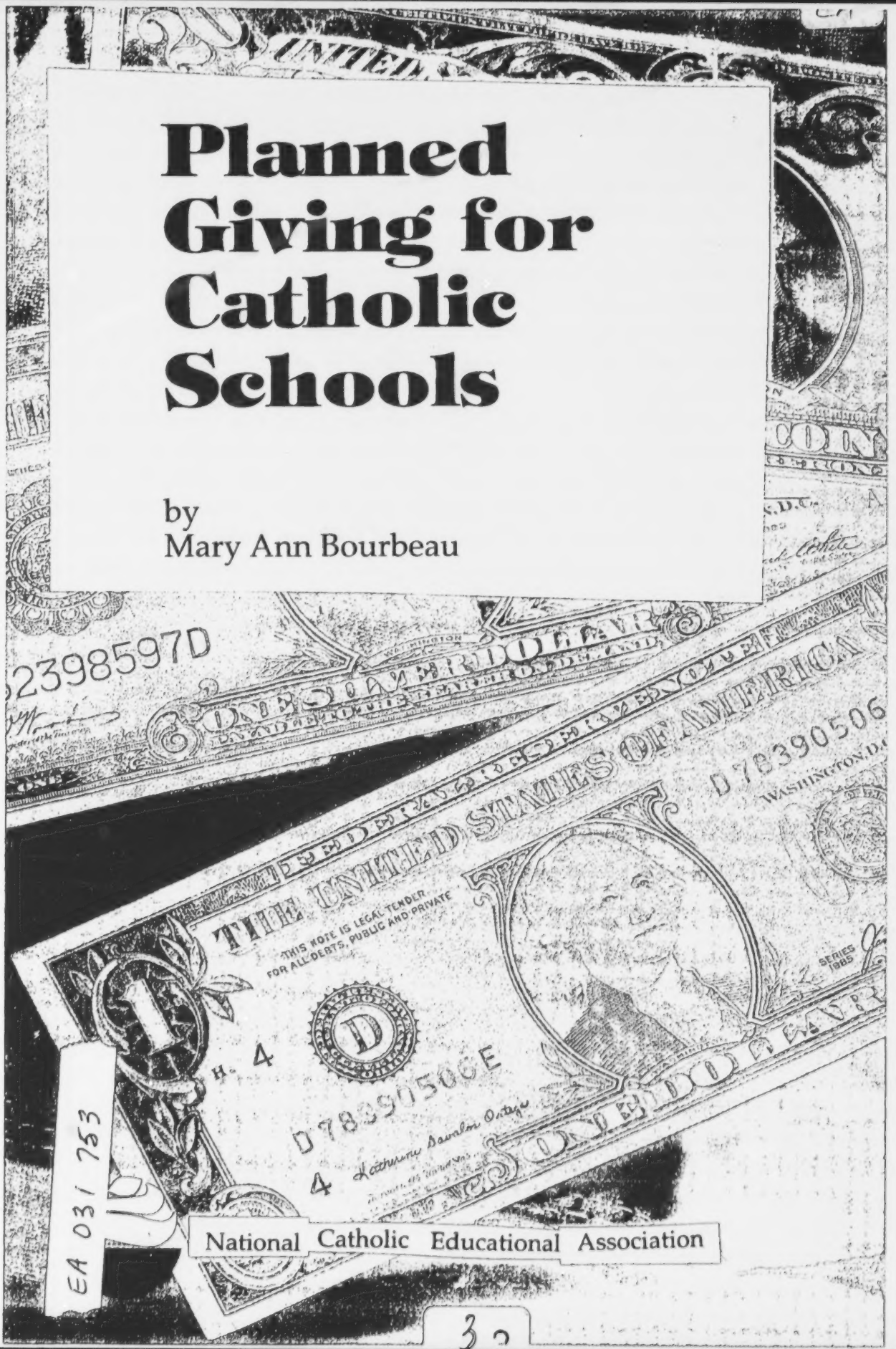

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Dedication

To Sister Mary Berchmans Hannan, VHM, President of Georgetown Visitation Preparatory School, with gratitude for more than a decade of friendship and fundraising.

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Acknowledgements

This book is dedicated to the ministry of Catholic education and to the important role that institutional advancement plays in Catholic schools. I would like to thank all those who work in Catholic education and who helped make this book possible. Special thanks goes to my friend, Sr. Mary E. Tracy, SNJM, Associate Executive Director of the Secondary Schools Department of the National Catholic Educational Association, for her wisdom and guidance over the years and to Brian Vaccaro for editing this publication.

Foreword

Mary Ann Bourbeau is distinguished as one of the most capable and generous advancement professionals in Catholic schools. Having served for over a decade as the chief development officer at Washington DC's Georgetown Visitation Preparatory School, Mary Ann walks her talk. Her solid, practical background in annual fund and capital campaign success provides an ideal backdrop to her succinct guide to planned gifts. Her straight-talking approach makes her manual on a complex topic extremely user-friendly.

As Catholic schools define programs designed to attract planned gifts, development officers, development or planned giving committee members, school administrators, and board members will find *Planned Giving for Catholic Schools* very useful. The book describes the entire process for establishing a successful planned giving program using a step-by-step approach. Mary Ann then examines the various types of planned gifts—bequests, charitable gift annuities and pooled income funds, trusts, and life insurance. Real estate, personal property, and retirement plans are also discussed.

Planned Giving for Catholic Schools echoes the wisdom of Mary Ann, a development veteran whom NCEA has featured frequently at its annual convention as well as during the Secondary Schools Department's major national conferences focused on development. I am grateful to and proud of Mary Ann Bourbeau: grateful for her generous willingness to share formally well beyond her own institution and proud of the extraordinary success she has enjoyed as an accomplished specialist in Catholic school development.

Sr. Mary E. Tracy, SNJM
Associate Executive Director
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Planned Giving for Catholic Schools

Good development officers in elementary and high schools need to be aware of planned giving and knowledgeable about the types of gifts that are included under this general heading. Universities now have planned giving offices with large staffs working exclusively in this field. Today, most schools have a development office, but usually the staff does not include someone working solely in planned giving. It is the development director, or sometimes the major gifts officer, who is responsible for what is often just a nodding acquaintance with a planned giving program.

Most school development directors are not experts in this admittedly complicated and complex field. Not many fundraisers have law degrees, and even those who do must specialize in estate planning and taxation law to understand the complexities of the many different gift vehicles now in use. But it is possible to acquire a general working knowledge of the planned giving categories, and to find within the school community generous people - lawyers, accountants, bank officers - who do have the expertise and are willing to share their knowledge. They can be called upon once the development officer has identified a donor interested in making a planned gift. It is not necessary to be solely responsible for directing a planned giving program. Like most successful development work, this should be a team effort.

However, when a school decides to initiate a planned giving program, the director of development must make

a serious commitment to dedicating a significant amount of time and energy to get this new program up and running. Results do not happen overnight - it takes time. Sometimes meaningful planned gifts take years to develop. But, as the president of one school said, after all the arrangements had been made for a charitable remainder unitrust that eventually would result in a million dollar gift, "We may not be here to see it, but those who are will be blessing our names." Think about the planned gifts that are being set up today as a pipeline that will support the school well into the future. The more gifts that enter the pipeline now, the brighter the financial future for the school.

Planned giving is often called deferred giving, implying that the financial benefits of such a gift lie in the future. Often this is the case, but planned giving, as it is practiced today, includes both current and deferred gifts. Some planned gifts can help the school today.

Why Do Donors Like Planned Giving?

Planned giving is attractive to donors in many different ways. It means making a gift to an institution in the most tax-wise, cost effective way possible. In the United States today, the federal government, through its tax laws, encourages donations for the public good - for education, health care, and support of the arts. Occasionally newspaper articles appear describing how some representatives and senators would like to reduce or eliminate the tax deductions now granted for making charitable gifts, but this would have such a negative effect on thousands of non-profit institutions that it seems unlikely to happen any time soon, if ever.

Who is a Planned Giving Donor?

The typical planned giving donor has been connected with the school for many years. He or she may or may not have given very large gifts in the past but almost always has been making regular gifts to the school for many years. A prospect for making a planned gift is usually interested because he or she wants to reduce or eliminate potential tax payments, would like to increase current income, and/or wants to leave the maximum amount of assets to children or grandchildren.

Most fundraisers do consider the tax benefits of making a planned gift to be very important, but they also believe that a donor must have a long-term connection with the school. A few years ago, some financial advisors promoted the idea that a client of theirs with no affiliation with a school might be interested in setting up a planned gift for tax purposes. Development directors received calls from advisors who thought they could arrange a gift and collect a finder's fee. This rather cynical manipulation of the tax laws evidently did not appeal to many donors, and the calls soon stopped. People give when they know a school and want to support its mission.

How to Begin

Assuming that the school does not have an effective planned giving program in place, what steps should be taken in order to implement one? Maybe the development office staff has talked a bit about it, learned a few terms, and received a few bequests. But they have not spent any considerable amount of time, effort, or money on setting up a program that has the potential of providing a variety of planned gifts to the school. In order to begin a meaningful, effective planned giving program and then to ensure that the program is maintained and enlarged, the following steps should be taken.

Step 1. Allocate 15-20% of the time to the planned giving program. Members of the development office staff need to start by educating themselves. They will need a general understanding of estate and gift taxes, the rules for giving appreciated property (stocks, personal property, and real estate), and a working knowledge of wills and trusts. They should learn the terms so that they are comfortable with them, but they should not worry about trying to learn everything there is to know. No one can know everything, and they will always have to depend on other professionals to help set up the planned gift vehicles. They should enroll in seminars on this subject. CASE, NAIS, and NCEA all sponsor workshops that they can attend and offer publications that they can purchase. In Washington, DC, and in most major cities, there are Planned Giving Study Groups, sponsored by the National Gift Planning Council, that typically hold luncheon meet-

ings with guest speakers and yearly planned giving conferences. Development office staff members can also ask planned giving consultants to give expert advice - at a price - on setting up the program. People like John Brown, Winton Smith, Ron Sapp, Charles Collier, and Conrad Teitell have made names for themselves in this field. They should also become familiar with the various companies that produce planned giving brochures on a wide variety of subjects that can be adapted for use by schools.

Step 2. Educate the Board of Trustees. It is important to have the understanding and commitment of the school's Board of Trustees. This may be a good time to bring in a consultant who can make a presentation to the board, describe the potential planned giving program in a realistic way, and have the expertise to answer questions about its benefits for the school. After the members of the Board of Trustees understand the advantages of having a planned giving program, some members may decide to make the initial gifts to the program.

Once the development office has the support of the board, it is important that the development office be given a budget. In order to establish a meaningful planned giving program, the initial annual budget should be in the $5,000 to $10,000 range, and each year thereafter money should be allotted for this purpose. At a minimum, the development office should purchase a software program that can calculate income payments and tax results for different types of planned gifts. It also will need to spend money on several mailings. The board must also understand that this is a long-term effort that will probably not bring in substantial money during the first few years.

Step 3. Set up a Planned Giving Committee with help from the Board of Trustees and the Development Committee. The committee will need a lawyer, preferably one who specializes in estate planning. Accountants, financial planners, and bankers (especially trust officers) can also be very helpful. This committee will meet to set policies for soliciting and accepting planned gifts and decide the types of gifts the school wants. The members should discuss a long-term goal for planned giving. Should these gifts be designated for the endowment? If the school

is already in a capital campaign or is planning one soon, should planned giving be a component of the campaign, and if so, how should deferred gifts be valued? The committee members should be available for the development office staff to call upon for advice or to answer a question when a donor expresses an interest in making a planned gift. Potential donors can get information from members of the Planned Giving Committee, but they must always be encouraged to consult their own attorneys and financial planners.

Step 4. Establish a Bequest Society. "A bequest is a provision in a donor's legal last will and testament which names a charity as a beneficiary of a specific, percentage, residual, or contingent portion of the donor's estate. The donor's estate receives a charitable deduction for the total amount given to the charity with no limit."[1] Bequests are very important to planned giving programs. The Bequest Society should be given a name that is associated with the history of the school. Do a mailing in the form of an invitation requesting that the alumni/ae (usually age 50 and up) become members of the society by letting the school know that they have included a bequest to the school in their wills. In the reply card that is included with this mailing, donors should be asked if they are interested in receiving information about other types of planned gifts. On the invitation, list the names of alumni/ae who have made any kind of planned gift and are already members of the society. Honor the members of the society by publishing their names in the annual report every year, and invite them to all major donor events at the school.

Step 5. Use publications to "advertise" the planned giving program. Publications advertising the planned giving program should describe the bequest program, the opportunities for setting up a charitable gift annuity, the advantages of giving appreciated stock, and the possibility of giving real estate. Ask alumni/ae who establish planned gifts if their names can be used in these publications along with a quote from them explaining their reasons for making their gifts. As the planned giving program develops, consider ordering special brochures from

one of the companies that specializes in producing literature on planned giving. These brochures can be inscribed with the school's name, seal, or logo and sent out with a general mailing or used just for donors who have expressed an interest. All this will help educate the constituency. Sometimes alumni/ae have discovered the benefits of planned giving through their colleges and universities and are happy to know that their high school or grade school can offer them the same opportunities.

Step 6. Identify the planned giving donor prospects. These are almost always people who have had a long-term relationship with the school, but are not always the largest donors. They may be people who realize that a planned gift can give them the ability to make a large gift to the school they love, while at the same time providing them with additional income and reducing their income and estate taxes. Of course, donors who have already made major gifts to the school may also be interested in setting up substantial trusts which can be a very tax-wise method of giving an inheritance to their children and grandchildren. Generally, although not always, the planned giving prospects belong to the older generation. Usually alumni/ae, past parents, and friends who are at least 50 to 55 years old are targeted for research and mailings on planned giving. Once prospective donors have expressed an interest in making any kind of a planned gift and have received the preliminary information, it is important to always follow through with a phone call and a personal visit if possible.

The Best Planned Gifts for the Program

There are four different categories of planned gifts which can be suitable for a school to use and promote. These are bequests, charitable gift annuities and pooled income funds, trusts, and life insurance. It is important for the members of the development office to be familiar with them.

Bequests

Bequests are usually the simplest kind of planned gift. As mentioned before, a bequest is a provision in a donor's will and testament which names a charity as a beneficiary

of a portion of the donor's estate. The donor's estate receives a charitable deduction for the total amount given to the charity with no limit. If a donor inquires about the form to use, it is best to suggest that the bequest be made for the general purposes of the school. When a bequest is made for a specific purpose, difficulty arises if that specific purpose is something that the school no longer wants or needs. This is most often encountered when the bequest is not executed for a number of years. Most development officers record bequests as intentions. They should not be counted as pledges for capital giving unless they are documented as such. Keep in mind that wills can be altered and frequently are, when the donor's circumstances change.

Charitable Gift Annuities

Charitable gift annuities are easy to arrange. "A charitable gift annuity is a contract between the donor and the charity wherein the donor transfers assets (cash, securities, or real property) in exchange for an annual fixed dollar payment for the life of one or two stated beneficiaries. The donor can be the sole, concurrent, or consecutive annuitant."[2] Many senior citizens are interested in establishing annuities because they offer older donors very favorable interest rates. Currently a 65 year-old will receive a 6.7% annuity interest rate, a 70 year-old a 7.2% interest rate, and a 75 year-old a 7.9% interest rate. Rates are set by the American Council on Annuities and do change periodically. If the office owns planned giving software, it will receive updated rates. Most institutions do not encourage gift annuities of less than $5,000 and usually annuities do not exceed $100,000. Donors of larger amounts will probably think in terms of setting up a trust.

The planned giving software can do calculations and print out income figures and tax benefits in forms that can be sent to donors. There are several companies who market these software programs. PG Calc and Crescendo are two of the most well known. To use this software, only three pieces of information are needed - the donor's date of birth, the amount of the gift, and the type of gift (cash, property, or appreciated stock) he or she is considering. If it will be a stock gift, ask the donor for the cash basis (original purchase price) of the stock. On the print-

outs, a prospective donor will be able to see the benefit. Funding a charitable gift annuity with highly appreciated stock that has been held for a year or more will yield a substantially larger income than most stock dividends produce, eliminate capital gains taxes, and result in a partial tax deduction for the income and principal.

When a gift annuity is established, the school receives the money immediately. It is best to set up a conservatively invested special reserved fund for this money since legally the payment of annuities is a primary financial obligation for the school. The gift should be counted at about 60% of its face value. Like life insurance policies, annuity rates are based on life expectancies. A 70 year-old donor who lives until the age of 95 may receive a very substantial return or even income equal to the entire amount of the gift. It is important to check the state law regarding annuities because, in many states, they are regulated and the institution must register if it plans on offering them to donors. A good working relationship between the school's development office and the business office is needed to ensure that once the annuities have been established, payments are set up on a regular schedule and then made promptly to the donors.

Pooled Income Funds

A pooled income fund, like gift annuities, can be an attractive option for donors of smaller amounts, usually $5,000 and up. A pooled income fund operates much like a mutual fund. The money is combined with other pooled income gifts and invested and the school manages the fund. Income is shared proportionately among the participants and is tied directly to the investment performance of the fund. When the donor and/or the donor's beneficiary passes away, the donor's proportionate share of the fund is transferred to the school. This type of gift is irrevocable and provides both a tax deduction and a life income.[3] It is possible to set up a pooled income gift for a number of beneficiaries. A pooled income fund is expensive to establish, so many schools either do not offer one or they join a coalition of schools or a community foundation to minimize the costs.

Trusts

Older donors with large assets may be interested in liquidating some of their assets and investing the proceeds in a trust. By using appreciated stock or real estate in this manner, a donor can increase current income, qualify for a charitable tax deduction, and avoid significant capital gains taxes. There are three different types of trusts which can greatly benefit a school.

1. **Charitable remainder unitrusts** have become very popular in recent years. With this kind of trust, a donor decides how much to put into the trust and chooses to receive a fixed percentage of the fair market value of these assets as re-evaluated annually for the life of the donor. At the donor's death, or the death of the beneficiary, the trust's assets go to the school.

2. A **charitable remainder annuity trust** is established in the same way, but the donor decides to receive a fixed dollar amount for the life of the trust (as long as the doner is alive) rather than a percentage of the fair market value.

3. A **charitable lead trust** was the vehicle that Jacqueline Kennedy Onassis used to transfer a large portion of her wealth to her grandchildren at a future date. Once this trust is set up, the assets are invested and then generate annual income to the non-profit organization the donor has chosen for a specified number of years. At the end of that time, the funds are returned to the donor or the donor's heirs. A charitable lead trust provides a charity with a substantial amount of income, gives the donor an immediate tax deduction, and can save on estate taxes.

There are several variations of these basic trust forms due to estate and tax lawyers working to provide their clients with the means to save on taxes and direct the distribution of the estates they have accumulated in their lifetimes. But again, development officers are not responsible for setting up these complicated arrangements. It is enough to understand the most important benefits of these trusts and, when speaking with major donors, to be able to suggest that they may want to investigate further by consulting their own attorneys and financial advisors.

Life Insurance

Life insurance can be an important component of the planned giving program. A donor can simply name the school as a beneficiary of his or her life insurance policy, particularly a long-established policy which is no longer needed for its original purpose. Or a donor can purchase a new policy, naming the school as both owner and beneficiary, while continuing to pay the yearly premiums. A number of schools have initiated campaigns targeting younger alumni/ae in their 30's and 40's, suggesting that they can give a large gift at a relatively low cost by purchasing a life insurance policy for the school's benefit and at the same time receive a tax benefit. Paying the policy's premiums not only maintains the policy for the school but the payments can be counted as tax deductible annual giving contributions to the school. There can be drawbacks to this approach. If a donor does not continue to pay the premiums, the school must decide whether to pay them or to let the policy lapse. And presumably, for young donors, many decades will elapse before the school receives any money.

It is important to note that when discussing the assets to be used in setting up any of these planned gifts, it is good to remember to mention the benefits of giving appreciated stock. Frequently donors have stock that they bought or inherited many years ago. Typically these stocks are paying only a small dividend, but donors are reluctant to sell these securities because of the large capital gains tax that would then be due. Using these stocks to set up a planned gift can provide the donor with more income than the dividends have been yielding and avoid the payment of capital gains.

Real Estate and Personal Property

Real estate and personal property are sometimes listed as planned gifts, but, in reality, these are the assets used to establish a planned gift. They are sold, and the proceeds then invested to finance the annuity, the pooled income fund, or the trust gift. These must be carefully evaluated and prudently handled. Sometimes it is wiser to decline such gifts, with appropriate thanks of course. The school needs to be certain that any real estate or

personal property it acquires can be readily sold without major difficulties or expenses. The Planned Giving Committee can be very helpful in making a decision about accepting such gifts, thus relieving the development office of the responsibility.

For any real estate gift, an expert in real estate should inspect and appraise the property. It can be difficult for a school to manage and market property, and there may be considerable costs associated with this process. Before accepting such a gift, the school needs to be sure that there are no environmental problems such as the presence of asbestos, radon gas, or lead paint that can make the piece of real estate difficult or even impossible to sell.

With personal property - jewelry, paintings, other art works, old books - it is the donor's responsibility to have the object appraised. If a donor claims a cash value of $5,000 or more and wishes to claim a tax deduction, he must file an IRS Form 8283. If the school decides to sell the object less than two years after its receipt, the school must file an IRS Form 8282. The donor needs to know that, if his or her property has a related use to the tax exempt purpose of the school, he or she can claim the full market value of the item. If the item is unrelated to the organization's purpose, the donor gets a deduction equal to the original cost of the item. As with real estate, when a donor offers the school property items, it is best to evaluate the situation before accepting the gift. If the school does not have a use or a need for the items, they may be difficult to sell.

Retirement Plans

It is important to be aware of the enormous sums of money now being invested in qualified pension plans - 403b's, 401k's, Keogh's, or IRA's. If left as part of an estate, to anyone other than a spouse, these plans can be subject to very high estate and federal income tax rates, often with the unintended consequence of making a major gift to the federal government. Tax-wise donors and their lawyers avoid this by naming a charity as the final beneficiary. These plans can also be used to fund a charitable remainder unitrust or annuity trust with a lifetime income for a spouse and the principal designated for a favorite charity after the spouse's death. Many experi-

enced planned giving officers advise donors that using their retirement plans to make a charitable contribution is the first thing they should consider when doing their estate planning.

Federal Estate Taxes

Recently Congress passed and the president signed a bill that will, over the next nine years, eliminate federal estate taxes. There is no doubt that these taxes have long helped motivate many donors to make bequests and other planned gifts to non-profit institutions, including schools. There are different opinions among fundraisers about the effects of the new law. But as it reads now, the estate tax will be phased out gradually until 2009, be totally eliminated in 2010, and then return to its present form the very next year - the so-called "sunset provision." There is uncertainty about exactly what will happen in 2011 or about the changes Congress may decide to make in the tax code before that date.

For the present, financial planners and development officers must keep in mind that in 2002, the tax exempt amount for estates will rise to $1,000,000, and that the exempt amount will continue to increase incrementally until the tax is totally repealed in 2010. This is a change that will certainly effect estate planning and charitable giving during that time period But the "sunset provision" does make it impossible to predict with any certainty what will happen with the estate of anyone who dies after 2010.

Conclusion

Regardless of changing times and changing tax laws, effective planned giving should be an important part of development programs. This requires a long-term commitment and long-term planning. Now is the time to put a program in place for the school or to improve the existing program. Results are rarely immediate, but planned gifts are well worth the wait. Over time, they will have a very significant and positive impact on the future of the school.

Endnotes

1. Eileen M. Cotter, "Building a Premier Planned Giving Program," in Sr. Mary E. Tracy, SNJM, ed., *Gateway to the Future: Selected Essays on Institutional Advancement* (Washington, DC: National Catholic Educational Association, 2000), p. 8.

2. Ibid. p. 9.

3. Ibid. p. 9.

About the Author

Mrs. Mary Ann Bourbeau has been the Director of Development at Georgetown Visitation Preparatory School in Washington, DC, since 1989. Previously, she was a member of the development office staff at Germantown Academy in Fort Washington, PA, and the Director of College Counseling at Chapel School in Sao Paulo, Brazil.

At Georgetown Visitation, a 200 year-old Catholic secondary school for girls, Mrs. Bourbeau has successfully directed two capital campaigns for a total of $15 million. During her tenure, the yearly total of annual and capital gifts has grown from $400,000 in 1989 to $2.7 million during the last fiscal year. In 1994, CASE presented Georgetown Visitation with a Circle of Excellence in Education Fundraising Award. Mrs. Bourbeau has also served as a fundraising consultant and conducted numerous workshops on development. She is a graduate of Manhattanville College.

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